

WEDNESDAY, FEBRUARY 21, 1990

SIXTY-EIGHTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Speaker Pro Tempore DeBerry.

The proceedings were opened with prayer by J. A. Stanley McInery, Oak Grove Church of Christ, Warren County, Tennessee.

Representative I. V. Hillis led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 94.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Dixon was excused due to a speaking commitment in Memphis.

The Speaker announced that Representative Harrill was excused to be with the Governor in Copperhill, Tennessee, regarding the Copperhill flood.

The Speaker announced that Representative Starnes was excused due to an out-of-town trip with the Governor to assess the damages caused by the recent floods in East Tennessee.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

February 20, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1611, 1612, 1634, 1655, 1693, 1753, 1759, 2052, 2121, 2122, 2127, 2155, 2190, 2192, 2193, 2195, 2197, 2213, 2225 and 2329; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 1611 -- Criminal Offenses --** Expands offense of malicious harassment; creates civil cause of action for malicious harassment. Amends TCA, Title 4, Ch. 21, 39-17-313.

***Senate Bill No. 1612 -- Deeds --** Requires certain surveyor information on legal description of deed. Amends TCA, Title 66, Ch. 24, Pt. 1.

***Senate Bill No. 1634 -- Workers' Compensation --** Makes employer's first report of injury confidential with certain exceptions. Amends TCA 50-3-702.

***Senate Bill No. 1655 -- Transportation, Dept. of --** Directs institution of wildflower preservation and propagation pilot project in Shelby County.

***Senate Bill No. 1693 -- Tatoo Parlors --** Classifies misdemeanor offense concerning unlawful tattoo parlors. Amends TCA 62-38-109.

***Senate Bill No. 1753 -- Teachers --** Establishes mechanism for payment of certain career ladder supplements. Amends TCA 49-5-5011.

Senate Bill No. 1759 -- Foster Care -- Requires installation of smoke detectors in foster homes. Amends TCA, Titles 37, 68, 71.

***Senate Bill No. 2052 -- Education --** Limits funds that LEA may use to buy certain instructional material. Amends TCA 49-3-310.

***Senate Bill No. 2121 -- Telecommunications --** Regulates operator assisted services; establishes penalties for violations. Amends TCA 47-18-104; Title 65, Ch. 5, Pt. 2.

***Senate Bill No. 2122 -- Telecommunications --** Requires owner of certain public telephone service to pay annual inspection fee. Amends TCA 65-4-301.

***Senate Bill No. 2127 -- Development Districts --** Permits development districts to contract to operate public guardian programs. Amends TCA, Title 13, Ch. 14.

Senate Bill No. 2155 -- State Symbols -- Designates honeybee as official agricultural insect. Amends TCA, Title 4, Ch. 1, Pt. 3.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Senate Bill No. 2190 -- County Government -- Authorizes counties to remove vegetation and dilapidated buildings under certain circumstances. Amends TCA 5-1-115.

Senate Bill No. 2192 -- Sewage -- Revises procedure for financing sewage treatment works and wastewater facilities by local governments. Amends TCA, Title 68, Ch. 13.

Senate Bill No. 2193 -- Bond Issues -- Requires health, educational and housing facility corporations to report bonding information to comptroller instead of department of economic and community development. Amends TCA 48-3-308.

Senate Bill No. 2195 -- Bond Issues -- Gives assistant secretary of bond finance committee primary responsibility for preparing and submitting plan of financing. Amends TCA 13-23-120.

Senate Bill No. 2197 -- Public Funds and Financing -- Revises certain procedures for financing construction of capital projects, including correctional facilities, by local governments. Amends TCA, Title 4, Ch. 31.

***Senate Bill No. 2213 -- Correction, Dept. of --** Deletes requirement that warden of women's prison must be female. Amends TCA, Title 41.

***Senate Bill No. 2225 -- Sewage --** Establishes alternative method of subsurface sewage disposal. Amends TCA, Title 68.

Senate Bill No. 2329 -- Police -- Allows POST to recover police pay supplements based on fraudulent applications. Amends TCA, Title 38, Ch. 8, Pt. 1.

MESSAGE FROM THE SENATE

February 20, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 476, 477, 478, 480 and 493; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0476 -- Naming and Designating -- Designates February as "Children's Dental Health Month".

Senate Joint Resolution No. 0477 -- Memorials, Public Service -- Commends law enforcement officers.

Senate Joint Resolution No. 0478 -- Memorials, Congratulations -- Congratulates Lincoln County Fair, 1989 Grand Champion Fair.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Senate Joint Resolution No. 0480 -- Memorials, Professional Achievement -- Congratulates Patricia Devillier on receipt of 1989 Community Health Nursing Award.

Senate Joint Resolution No. 0493 -- Naming and Designating -- Designates print shop elevator as Larry N. Hill elevator.

**ENROLLED BILLS
February 20, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 501 and 2174; House Resolution(s) No(s). 101; also, House Joint Resolution(s) No(s). 609, 610, 624 and 629; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

**BETTY KAY FRANCIS,
Chief Engrossing Clerk.**

REPORTS FROM STANDING COMMITTEES

**REPORT OF COMMITTEE ON CALENDAR AND RULES
February 20, 1990**

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular Calendar for Thursday, February 22, 1990: House Bill(s) No(s). 1899, 1866, 1954, 1599, 1767, 1922, 2014, 2039, 1917, 1904, 1588, 1578 and 1586.

We further report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, February 26, 1990: House Bill(s) No(s). 1637 and 1770; House Joint Resolution(s) No(s). 560; also, House Bill(s) No(s). 1849.

Pursuant to Rule No. 72, we have referred House Bill(s) No(s). 1592 to the Finance, Ways and Means Committee.

PHILLIPS, Chairman.

**COMMERCE COMMITTEE
February 20, 1990**

MR. SPEAKER: Your Commerce Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 424, 1646 (with amendment), 1654, 1718, 1740, 1777 (with amendment), 1814, 1851, 2050, 2074, 2104 (with amendment) 2147, 2203 (with amendment), 2508 (with amendment) and 2509 (with amendment).

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1835 be referred to the Finance, Ways and Means Committee.

We further report that the following was/were considered but failed to pass: House Bill(s) No(s). 1942.

RHINEHART, Chairman.

Under the rules, House Bill(s) No(s). 424, 1646 (with amendment), 1654, 1718, 1740, 1777 (with amendment), 1814, 1851, 2050, 2074, 2104 (with amendment), 2147, 2203 (with amendment), 2508 (with amendment) and 2509 (with amendment) was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1835 to the Finance, Ways and Means Committee.

**EDUCATION COMMITTEE
February 20, 1990**

MR. SPEAKER: Your Education Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1919, 2224 and 2315.

DAVIDSON, Chairman.

Under the rules, House Bill(s) No(s). 1919, 2224 and 2315 was/were transmitted to the Calendar and Rules Committee.

**FINANCE, WAYS AND MEANS COMMITTEE
February 20, 1990**

MR. SPEAKER: Your Finance, Ways and Means Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1598, 1634, 1761 and 1799.

BRAGG, Chairman.

Under the rules, House Bill(s) No(s). 1598, 1634, 1761 and 1799 was/were transmitted to the Calendar and Rules Committee.

**GOVERNMENT OPERATIONS COMMITTEE
February 20, 1990**

MR. SPEAKER: Your Government Operations Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1661 (with amendment) and 2048.

KING, Chairman.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Under the rules, House Bill(s) No(s). 1661 (with amendment) and 2048 was/were transmitted to the Calendar and Rules Committee.

JUDICIARY COMMITTEE
February 20, 1990

MR. SPEAKER: Your Judiciary Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1680 (with amendment), 1711, 1746 (with amendment), 1781 (with amendment), 1831, 1868 (with amendment), 1873, 1874, 1877, 1924, 2089 (with amendment), 2099 and 2100.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1872, 2101 (with amendment) and 2218 (with amendment) be referred to the Finance, Ways and Means Committee.

BUCK, Chairman.

Under the rules, House Bill(s) No(s). 1680 (with amendment), 1711, 1746 (with amendment), 1781 (with amendment), 1831, 1868 (with amendment), 1873, 1874, 1877, 1924, 2089 (with amendment), 2099 and 2100 was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1872, 2101 (with amendment) and 2218 (with amendment) to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT COMMITTEE
February 20, 1990

MR. SPEAKER: Your State and Local Government Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1714, 1715 (with amendment), 1716, 1775, 1901 (with amendment), 1941 (with amendment), 1968, 1970 (with amendment), 2131, 2166, 2507, 2510 and 2513; for adoption: House Joint Resolution(s) No(s). 522, 527, 542, 544 and 562.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1587 (with amendment) and 2360 be referred to the Finance, Ways and Means Committee.

LOVE, Chairman.

Under the rules, House Bill(s) No(s). 1714, 1715 (with amendment), 1716, 1775, 1901 (with amendment), 1941 (with amendment), 1968, 1970 (with amendment), 2131, 2166, 2507, 2510 and 2513; also, House Joint Resolution(s) No(s). 522, 527, 542, 544 and 562; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1587 (with amendment) and 2360 to the Finance, Ways and Means Committee.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

TRANSPORTATION COMMITTEE

February 20, 1990

MR. SPEAKER: Your Transportation Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1920 (with amendment), 2032 (with amendment), 2206 and 2436.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1975 (with amendment) and 2238 be referred to the Finance, Ways and Means Committee.

ROBB ROBINSON, Chairman.

Under the rules, House Bill(s) No(s). 1920 (with amendment), 2032 (with amendment), 2206 and 2436; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1975 (with amendment) and 2238 to the Finance, Ways and Means Committee.

REPORT OF COMMITTEE ON CALENDAR AND RULES

February 21, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular Calendar for Monday, February 26, 1990: House Bill(s) No(s). 1564, 1837, 1797, 1565 and 1256.

We have also set the following bills on the Regular Calendar for Wednesday, February 28, 1990: House Bill(s) No(s). 1815.

We further report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, February 26, 1990: House Bill(s) No(s). 1886.

PHILLIPS, Chairman.

GENERAL WELFARE COMMITTEE

February 21, 1990

MR. SPEAKER: Your General Welfare Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1121 (with amendment), 1992, 2022, 2357, 2515 (with amendment); for adoption: House Resolution(s) No(s). 94; also, House Joint Resolution(s) No(s). 600.

STARNES, Chairman.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Under the rules, House Bill(s) No(s). 1121 (with amendment), 1992, 2022, 2357, 2515 (with amendment); House Resolution(s) No(s). 94; also, House Joint Resolution(s) No(s). 600 was/were transmitted to the Calendar and Rules Committee.

LABOR AND CONSUMER AFFAIRS COMMITTEE
February 21, 1990

MR. SPEAKER: Your Labor and Consumer Affairs Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 877 (with amendment).

CHRIS TURNER, Chairman.

Under the rules, House Bill(s) No(s). 877 (with amendment) was/were transmitted to the Calendar and Rules Committee.

COMMUNICATIONS

TO: Mr. Larry Cole,
Chief Clerk of the House of Representatives

FROM: Representative Bill Sipes

DATE: February 21, 1990

SUBJECT: Vote Change

Mr. Cole, I would like to change my vote on HB 1936 back to the original casting of NO! After reading the bill I realized that this bill would call for a tax increase and I do not wish to increase any taxes.

Thank you for your prompt attention to this matter.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from yes to no on House Bill No. 1936 and have this statement entered in the Journal.

Rep. Beth Haltoman

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from yes to no on House Bill No. 1936 and have this statement entered in the Journal.

Rep. Gary Odom

REGULAR CALENDAR

House Bill No. 1816 -- Savings and Loan Associations -- Authorizes statewide branching for savings institutions. Amends TCA, Title 45, Ch. 3.

Rep. Rhinehart moved that **House Bill No. 1816** be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1816 by inserting at the end of the amendatory language of Section 1 the following:

Section 45-3-303. With respect to the matters contained in this part, the commissioner shall have full power and authority to promulgate rules and regulations in accordance with applicable law.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that **House Bill No. 1816**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

House Bill No. 1817 -- Savings and Loan Associations -- Extends to savings institutions similar authority as for banks in interstate banking. Amends TCA, Title 45, Ch. 3.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Rep. Rhinehart moved that House Bill No. 1817 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives present and not voting were: Head, Wix -- 2.

A motion to reconsider was tabled.

House Bill No. 2127 -- Tennessee Valley Authority -- Restricts TVA in lieu of tax payments to electrical power service areas. Amends TCA, Title 67, Ch. 9.

On motion, House Bill No. 2127 was made to conform with Senate Bill No. 1839.

On motion, Senate Bill No. 1839, on same subject, was substituted for House Bill No. 2127.

Rep. Rhinehart moved that Senate Bill No. 1839 be passed on third and final consideration.

Rep. C. Turner (Shelby) moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1839 by adding the following at the end of the amendatory language of Section 1 of the printed bill:

Provided, however, population, acreage, and land which is contained in any county having a population in excess of seven hundred thousand (700,000) according to the 1980 federal census or any subsequent federal census shall continue to be utilized in making such calculation, notwithstanding that such population, acreage or land is

not contained within the Tennessee Valley Authority electrical power service area.

Rep. Rhinehart moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes.	58
Noes.	31
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bivens, Bragg, Burchfield, Burnett, Chiles, Coffey, Cole, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Givens, Good, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Hubbard, Huskey, Jackson, Kisber, McAfee, McDaniel, Moore (Lawrence), Naifeh, Napier, Niceley, Peroulas, Phillips, Pinion, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Turner (Hamilton), Webb, Wheeler, Whitson, Winningham, Wix, Wood, Mr. Speaker Murray -- 58.

Representatives voting no were: Austin, Bittle, Buck, Byrd, Cain, Callicott, DeBerry, Gaia, Gunnels, Halteman, Hassell, Henry (Putnam), Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Moody, Moore (Shelby), Nuber, Odom, Pruitt, Shirley, Sipes, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), West, Williams, Wolfe, Yelton -- 31.

Representatives present and not voting were: Clark, Purcell -- 2.

Rep. C. Turner (Shelby) moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 1839 by deleting the words "only the" in the amendatory language of the original Section 1 and by substituting instead the language "in counties having a population of less than seven hundred thousand (700,000) according to the 1980 federal census of population or any subsequent federal census, only the".

Rep. Rhinehart moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes.	64
Noes.	26

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bivens, Bragg, Buck, Burchfield, Burnett, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Givens, Good, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard,

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Huskey, Jackson, Kisber, McAfee, McDaniel, Moore (Lawrence), Naifeh, Napier, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Ussery, Webb, West, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 64.

Representatives voting no were: Bittle, Byrd, Cain, Callicott, DeBerry, Gaia, Gunnels, Halteman, Hassell, Henry (Putnam), Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Moody, Moore (Shelby), Niceley, Nuber, Odom, Pruitt, Shirley, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), Williams -- 26.

Thereupon, Rep. Rhinehart moved that **Senate Bill No. 1839** be passed on third and final consideration.

Rep. Burnett moved the previous question, which motion was objected to.

Rep. Burnett moved the previous question, which motion prevailed by the following vote:

Ayes.	62
Noes.	30

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Garrett, Givens, Good, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kisber, Love, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Stallings, Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Yelton -- 62.

Representatives voting no were: Armstrong, Byrd, Cain, Callicott, Chiles, Coffey, Copeland, DeBerry, Gaia, Gunnels, Halteman, Hassell, Henry (Putnam), Jones, U. (Shelby), Kent, Kernell, King, McAfee, Moore (Shelby), Nuber, Peroulas, Scruggs, Severance, Shirley, Sipes, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Williams -- 30.

Thereupon, Rep. Rhinehart moved that **Senate Bill No. 1839** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	68
Noes.	25
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Callicott, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Garrett, Givens, Good, Gunnels, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis,

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kisber, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Sipes, Stallings, Ussery, Webb, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 68.

Representatives voting no were: Austin, Burchfield, Byrd, Cain, Chiles, DeBerry, Gaia, Halteman, Hassell, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Moore (Shelby), Nuber, Odom, Pruitt, Severance, Shirley, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), West, Williams -- 25.

Representatives present and not voting were: Love, Turner (Hamilton) -- 2.

A motion to reconsider was tabled.

House Bill No. 2128 -- Public Funds and Financing -- Redistributes Tennessee revenue sharing funds designated as impact funds if no impacted areas are designated. Amends TCA 67-9-101, 102.

On motion, House Bill No. 2128 was made to conform with Senate Bill No. 1910.

On motion, Senate Bill No. 1910, on same subject, was substituted for House Bill No. 2128.

Rep. Rhinehart moved that Senate Bill No. 1910 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	4
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Houston, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

Representatives voting no were: Chiles, Moore (Shelby), Stamps, Whitson -- 4.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Representatives present and not voting were: Jones, U. (Shelby)
-- 1.

A motion to reconsider was tabled.

***House Bill No. 1660 -- Guardianship --** Increases number of wards guardian permitted under Uniform Veterans' Guardianship Law. Amends TCA 34-5-105.

On motion, House Bill No. 1660 was made to conform with Senate Bill No. 1990.

On motion, **Senate Bill No. 1990**, on same subject, was substituted for House Bill No. 1660.

Rep. Hillis moved that **Senate Bill No. 1990** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray
-- 96.

A motion to reconsider was tabled.

***House Bill No. 1644 -- Judges and Chancellors --** Permits city judge to appoint substitute. Amends TCA 6-21-501.

On motion, House Bill No. 1644 was made to conform with Senate Bill No. 1966.

On motion, **Senate Bill No. 1966**, on same subject, was substituted for House Bill No. 1644.

Rep. Wood moved that **Senate Bill No. 1966** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 1631 -- Alcoholic Beverages -- Clarifies time of effectiveness of certain beer price increases; removes authority for certain permit fees. Amends TCA 57-5-401, 403, 57-6-104.

On motion, House Bill No. 1631 was made to conform with Senate Bill No. 1625.

On motion, Senate Bill No. 1625, on same subject, was substituted for House Bill No. 1631.

Rep. Bragg moved that Senate Bill No. 1625 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Turner, L.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

(Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

***House Bill No. 1778 -- Motor Vehicles -- Removes minimum height for auto bumpers. Amends TCA 55-9-215.**

Rep. Hubbard moved that House Bill No. 1778 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	3
Present and not voting	2

Representatives voting aye were: Anderson, Armstrong, Austin, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 89.

Representatives voting no were: Bell, Kisber, Winningham -- 3.

Representatives present and not voting were: Clark, Purcell -- 2.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Resolution No. 0102 -- Memorials, Recognition -- Honors older workers during "Hire the Older Worker Week".

House Joint Resolution No. 0634 -- Memorials, Public Service -- Congratulates Willard Richardson, Mayor of Atwood.

House Joint Resolution No. 0635 -- Memorials, Recognition -- Honors older workers during "Hire the Older Worker Week".

House Joint Resolution No. 0636 -- Memorials, Personal Occasion -- Honors Edith and Vestal Hopson on fiftieth wedding anniversary.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

House Joint Resolution No. 0637 -- Memorials, Personal Occasion -- Congratulates Nathan Thaddeus "N.T." Richardson on 104th birthday.

*House Joint Resolution No. 0638 -- Memorials, Congress -- Memorializes Congress to propose constitutional amendment prohibiting physical desecration of American flag.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

MESSAGE CALENDAR

FURTHER ACTION ON HOUSE AMENDMENTS

*Senate Bill No. 0959 -- Local Education Agency -- Requires opening of schools after Labor Day; provides certain exceptions. Amends TCA, Title 49.

Rep. Davidson moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 17 to Senate Bill No. 959.

House Amendment No. 17

AMEND Senate Bill No. 959 by deleting from the amendatory language of Section 1 the words and punctuation "to commence the

day immediately following the day observed as Labor Day;" and by substituting instead the following:

to commence the day immediately following the day observed as Labor Day and to end on or before Friday of the first full calendar week in June;

AND FURTHER AMEND by inserting the following language between the third and fourth sentences of the first full paragraph of the amendatory language of Section 1:

Local education agencies may schedule school on planned holidays or Saturdays for days missed due to inclement weather or other emergencies.

AND FURTHER AMEND by deleting from the amendatory language of Section 1 the words, figures, and symbols "an average of ten (10) or more days" and by substituting the following:

"an average of seven (7) or more days"

Rep. Naifeh moved to table the motion to refuse to recede, which motion failed by the following vote:

Ayes.	39
Noes.	55

Representatives voting aye were: Bell, Buck, Clark, Coffey, Cole, Copeland, Crain, Curlee, DePriest, Duer, Gaia, Givens, Halteman, Henry (Putnam), Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Jackson, Kisber, Love, Moore (Shelby), Naifeh, Napier, Niceley, Odom, Phillips, Pinion, Rhinehart, Shirley, Stallings, Stamps, Whitson, Winningham, Wix, Wolfe, Mr. Speaker Murray -- 39.

Representatives voting no were: Anderson, Armstrong, Austin, Bittle, Bivens, Bragg, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Collier, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Garrett, Good, Gunnels, Hassell, Haun, Head, Hobbs, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, McAfee, McDaniel, Moody, Moore (Lawrence), Nuber, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Williams, Wood -- 55.

Thereupon, Rep. Davidson renewed his motion that the House refuse to recede from its action in adopting Amendment(s) No(s). 17 to Senate Bill No. 959, which motion prevailed by the following vote:

Ayes.	58
Noes.	29
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Collier, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Gaia, Garrett, Good, Gunnels, Hassell, Haun, Head, Henry (Putnam), Hobbs, Holcomb, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, McAfee, McDaniel, Moody, Moore (Lawrence), Niceley, Nuber, Peroutas, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Wood, Mr. Speaker Murray -- 58.

Representatives voting no were: Bell, Buck, Clark, Coffey, Crain, Curlee, DePriest, Duer, Givens, Henry (Roane), Herron, Hillis, Holt, Hubbard, Jackson, Kisber, Moore (Shelby), Naifeh, Napier, Phillips, Pinion, Rhinehart, Shirley, Stallings, Stamps, Turner, C. (Shelby), Winningham, Wix, Wolfe -- 29.

Representatives present and not voting were: Love -- 1.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to no, on the motion to refuse to recede in adopting Amendment No. 17 to Senate Bill No. 959 and have this statement entered in the Journal.

Rep. Ralph Cole

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Haun moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 639 out of order, which motion prevailed.

House Joint Resolution No. 0639 -- Memorials, Public Service -- Recognizes Bruce Triplett as interim member of General Assembly. by *Chiles, *Crain, *Haun, *McDaniel, *Cole, *Scruggs.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Haun, the resolution was adopted by the following vote:

Ayes.	71
Noes.	0
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burchfield, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson,

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Davis (Gibson), Davis (Knox), Duer, Gaia, Garrett, Givens, Gunnels, Hassell, Haun, Head, Hobbs, Holcomb, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 71.

Representatives present and not voting were: Bragg -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Joint Resolution No. 639 and have this statement entered in the Journal.

Rep. Ralph Cole

BILL REFERRED

Rep. Duer moved that House Bill No. 1985 be recalled from the Transportation Committee and referred to the Conservation and Environment Committee, which motion prevailed.

RULES SUSPENDED

Rep. DePriest moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 641 out of order, which motion prevailed.

House Joint Resolution No. 0641 -- Memorials, Recognition -- Honors senior workers during "Hire the Older Worker Week". by *DePriest.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. DePriest, the resolution was adopted by the following vote:

Ayes.	89
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davis (Gibson), Davis (Knox), DePriest, Duer, Gaia,

Garrett, Givens, Good, Gunnels, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 89.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Gunnels, **House Bill No. 2575**, a local bill being held on the Clerk's desk, was withdrawn from the House.

RULES SUSPENDED

Rep. L. Turner (Shelby) moved that the rules be suspended for the purpose of recalling House Joint Resolution No. 562 from the Calendar and Rules Committee for immediate consideration, which motion prevailed.

House Joint Resolution No. 562 -- Naming and Designating -- Designates February as Community College Month.

Rep. L. Turner (Shelby) moved that **House Joint Resolution No. 562** be adopted, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1767: Rep(s). West added as prime sponsor(s).

House Bill No. 1799: Rep(s). Webb added as prime sponsor(s).

House Bill No. 1970: Rep(s). Armstrong added as prime sponsor(s).

House Bill No. 2039: Rep(s). West added as prime sponsor(s).

House Bill No. 2080: Rep(s). Williams designated as the prime sponsor.

House Bill No. 2159: Rep(s). Peroulas added as prime sponsor(s).

House Bill No. 2224: Rep(s). Peroulas added as prime sponsor(s).

House Bill No. 2397: Rep(s). Davis (Knox) added as prime sponsor(s).

House Bill No. 2506: Rep(s). Burnett added as prime sponsor(s).

House Bill No. 2516: Rep(s). Davis (Knox) added as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0103 -- Memorials, Recognition -- Honors older workers during "Hire the Older Worker Week". by *Moore C.

The Speaker referred House Joint Resolution No. 103 to the Calendar and Rules Committee.

House Joint Resolution No. 0640 -- Memorials, Personal Occasion -- Honors fifty year marriage of Mr. and Mrs. F. L. Brown. by *Love.

The Speaker referred House Joint Resolution No. 640 to the Calendar and Rules Committee.

House Joint Resolution No. 0644 -- Memorials, Personal Achievement -- Congratulates Melissa Gibson, America's Modern Miss Tennessee Pre Teen. by *Gunnels.

The Speaker referred House Joint Resolution No. 644 to the Calendar and Rules Committee.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

House Joint Resolution No. 0645 -- Memorials, Recognition -- Honors senior workers during "Hire the Older Worker Week". by *McDaniel.

The Speaker referred House Joint Resolution No. 645 to the Calendar and Rules Committee.

House Joint Resolution No. 0646 -- Memorials, Recognition -- Honors senior workers during "Hire the Older Worker Week". by *McDaniel.

The Speaker referred House Joint Resolution No. 646 to the Calendar and Rules Committee.

House Joint Resolution No. 0647 -- Memorials, Condolence -- Honors memory of Edna Caroline Phillips McDaniel. by *Robinson C B, *Turner B, *McAfee, *Copeland, *Wood, *Starnes.

The Speaker referred House Joint Resolution No. 647 to the Calendar and Rules Committee.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Senate Joint Resolution No. 0477 -- Memorials, Public Service -- Commends law enforcement officers.

The Speaker referred Senate Joint Resolution No. 477 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0478 -- Memorials, Congratulations -- Congratulates Lincoln County Fair, 1989 Grand Champion Fair.

The Speaker referred Senate Joint Resolution No. 478 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0480 -- Memorials, Professional Achievement -- Congratulates Patricia Devillier on receipt of 1989 Community Health Nursing Award.

The Speaker referred Senate Joint Resolution No. 480 to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 0476 -- Naming and Designating -- Designates February as "Children's Dental Health Month".

The Speaker referred Senate Joint Resolution No. 476 to the Calendar and Rules Committee.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Senate Joint Resolution No. 0493 -- Naming and Designating --
Designates print shop elevator as Larry N. Hill elevator.

The Speaker referred Senate Joint Resolution No. 493 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

House Bill No. 2592 -- Rossville -- Continues corporate existence; provides new charter. by *Stallings, *Naifeh.

Passed first consideration.

***House Bill No. 2593 -- Day Care --** Permits Davidson County day care pilot program to serve less than 100 children. Amends Chapter 877, Public Acts of 1986. by *Pruitt, *Dixon, *Jones U, *King, *Jones R.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 1611 -- Criminal Offenses --** Expands offense of malicious harassment; creates civil cause of action for malicious harassment. Amends TCA, Title 4, Ch. 21, 39-17-313.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1747.

***Senate Bill No. 1612 -- Deeds --** Requires certain surveyor information on legal description of deed. Amends TCA, Title 66, Ch. 24, Pt. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1826.

***Senate Bill No. 1634 -- Workers' Compensation --** Makes employer's first report of injury confidential with certain exceptions. Amends TCA 50-3-702.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2481.

***Senate Bill No. 1655 -- Transportation, Dept. of --** Directs institution of wildflower preservation and propagation pilot project in Shelby County.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1641.

***Senate Bill No. 1393 -- Tatoo Parlors --** Classifies misdemeanor offense concerning unlawful tattoo parlors. Amends TCA 62-38-109.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Held on the Clerk's desk pending third consideration of companion House Bill No. 1789.

***Senate Bill No. 1753 -- Teachers -- Establishes mechanism for payment of certain career ladder supplements. Amends TCA 49-5-5011.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 1899.

***Senate Bill No. 2052 -- Education -- Limits funds that LEA may use to buy certain instructional material. Amends TCA 49-3-310.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 2200.

***Senate Bill No. 2121 -- Telecommunications -- Regulates operator assisted services; establishes penalties for violations. Amends TCA 47-18-104; Title 65, Ch. 5, Pt. 2.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 2322.

***Senate Bill No. 2122 -- Telecommunications -- Requires owner of certain public telephone service to pay annual inspection fee. Amends TCA 65-4-301.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 2321.

***Senate Bill No. 2127 -- Development Districts -- Permits development districts to contract to operate public guardian programs. Amends TCA, Title 13, Ch. 14.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 1992.

Senate Bill No. 2155 -- State Symbols -- Designates honeybee as official agricultural insect. Amends TCA, Title 4, Ch. 1, Pt. 3.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1847.

Senate Bill No. 2190 -- County Government -- Authorizes counties to remove vegetation and dilapidated buildings under certain circumstances. Amends TCA 5-1-115.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1845.

Senate Bill No. 2192 -- Sewage -- Revises procedure for financing sewage treatment works and wastewater facilities by local governments. Amends TCA, Title 68, Ch. 13.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1760.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Senate Bill No. 2193 -- Bond Issues -- Requires health, educational and housing facility corporations to report bonding information to comptroller instead of department of economic and community development. Amends TCA 48-3-308.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1764.

Senate Bill No. 2195 -- Bond Issues -- Gives assistant secretary of bond finance committee primary responsibility for preparing and submitting plan of financing. Amends TCA 13-23-120.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1761.

Senate Bill No. 2197 -- Public Funds and Financing -- Revises certain procedures for financing construction of capital projects, including correctional facilities, by local governments. Amends TCA, Title 4, Ch. 31.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1759.

***Senate Bill No. 2213 -- Correction, Dept. of --** Deletes requirement that warden of women's prison must be female. Amends TCA, Title 41.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2044.

***Senate Bill No. 2225 -- Sewage --** Establishes alternative method of subsurface sewage disposal. Amends TCA, Title 68.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2251.

Senate Bill No. 2329 -- Police -- Allows POST to recover police pay supplements based on fraudulent applications. Amends TCA, Title 38, Ch. 8, Pt. 1.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2115.

HOUSE BILLS ON SECOND CONSIDERATION

***House Bill No. 2589 -- Utilities, Utility Districts --** Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2590 -- Washington County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2591 -- Williamson County -- Passed second

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

consideration and held on Clerk's desk pending approval by local delegation.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
February 21, 1990**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2588 and 2590.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
February 21, 1990**

MR. SPEAKER: The officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, February 22, 1990: House Resolution(s) No(s). 103; House Joint Resolution(s) No(s). 640, 644, 645, 646 and 647; House Bill(s) No(s). 2588 and 2590; also, Senate Joint Resolution(s) No(s). 477, 478, 480.

PHILLIPS, Chairman.

**SIGNED
February 21, 1990**

The Speaker announced that he had signed the following: House Bill(s) No(s). 501 and 2174; House Joint Resolution(s) No(s). 609, 610, 624 and 629; also, House Resolution(s) No(s). 101.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENGROSSED BILLS
February 21, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1816 and 1817; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENGROSSED BILLS
February 21, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1778; also,

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

House Joint Resolution(s) No(s). 562, 634, 635, 636, 637, 638, 639 and 641; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR
February 21, 1990**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 85, 89, 180, 603, 605, 606, 611, 612, 622, 623, 626, 628, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

**MESSAGE FROM SENATE
February 21, 1990**

MR. SPEAKER: I am directed to request the return of House Bill No. 2139, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL RETURNED

There being no objection, Rep. Jim Henry (Roane) directed the Clerk to return House Bill No. 2139 to the Senate as requested.

**MESSAGE FROM THE SENATE
February 21, 1990**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 959.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 17.

The Speaker appointed a Conference Committee composed of Senators O'Brien, Haynes, Womack, Koella, Hamilton, Albright, Lashlee and Owen, to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 959.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

February 21, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1816; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

February 21, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 501 and 2174; also, House Joint Resolution(s) No(s). 609, 610, 624 and 629; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

February 21, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1576, 1601, 1637, 1673, 1697, 1707, 1708 and 1776; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

February 21, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 255, 1011, 1781, 1854, 1924, 1926 and 2342; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0255 -- Nurses, Nursing -- Revises certain provisions relative to the practice of professional nursing. Amends TCA 63-7-101, 103.

*Senate Bill No. 1011 -- Alcoholic Beverages -- Authorizes retail sales by beer manufacturers in certain circumstances. Amends TCA, Title 57, Chs. 5, 6.

*Senate Bill No. 1781 -- Workers' Compensation -- Makes issuance of certificate of compliance with insurance requirements of Workers' Compensation Law conclusive evidence of such compliance. Amends TCA, Title 50, Ch. 6, Pt. 4.

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Senate Bill No. 1854 -- Telecommunications -- Enacts "Unsolicited Telefacsimile Advertising Act".

*Senate Bill No. 1924 -- Highway Signs -- Deletes exemption of certain counties from the specific service sign system. Amends TCA 54-5-1109.

Senate Bill No. 1926 -- Liens -- Clarifies extent of nurseryman's lien. Amends TCA 66-11-101, 118.

*Senate Bill No. 2342 -- Education -- Authorizes LEA to operate school system on alternative plan under certain circumstances. Amends TCA, Title 49, Ch. 1, Pt. 2.

MESSAGE FROM THE SENATE

February 21, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 500, 501 and 502; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0500 -- Memorials, Personal Occasion -- Recognizes Wyeth Chandler on sixtieth birthday for outstanding accomplishments.

Senate Joint Resolution No. 0501 -- Memorials, Professional Achievement -- Commends Brother Theodore R Drahmann on receipt of Greater Memphis State's Educator of the Year Award.

Senate Joint Resolution No. 0502 -- Memorials, Condolence -- Honors memory of C. Cleveland Drennon, Jr.

MESSAGE FROM THE SENATE

February 21, 1990

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1607.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 96

WEDNESDAY, FEBRUARY 21, 1990 -- SIXTY-EIGHTH LEGISLATIVE DAY

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray

-- 96.

On motion of Rep. Naifeh, the House adjourned until 9:00 a.m., Thursday, February 22, 1990.